



DEPARTMENT OF THE NAVY

OFFICE OF LEGAL COUNSEL
PORTSMOUTH NAVAL SHIPYARD
PORTSMOUTH, NH 03804-5000

5720

Ser 100L/015

23 May '17

Ms. Lynda Cecchetti, 2nd Vice President
IFPTE Local 4
C/O Portsmouth Naval Shipyard
PO Box 2047
Portsmouth, NH 03804-2047

SUBJ: FREEDOM OF INFORMATION ACT REQUEST

Dear Ms. Cecchetti,

This is a final response to your Freedom of Information Act¹ (FOIA) request for a copy of a report on management investigation number AI #17-06. Your request has previously been assigned case number DON-NAVY-2017-006556 and was acknowledge by letter to you on May 17, 2017.

I have considered your request pursuant to the FOIA and Secretary of the Navy's Instruction 5720.42F. The document that is responsive to your Request is exempt from mandatory disclosure pursuant to FOIA exemption (b)(5)² as no decision has yet been made on the actions, if any, that will be taken as a result of the report's content. The release of the responsive document is "pre-decisional" and would impair the agency's deliberative process.

I am the official responsible for the decision to withhold the document as set forth above. You may submit a written administrative appeal of my decision to:

Office of the General Counsel
Department of Navy
1000 Navy Pentagon
Washington, DC 20350

¹ 5 U.S.C. §§ 552, et seq.

² 5 U.S.C. §§ 552 (b)(5)

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Your appeal must have a copy of this letter enclosed and must be received by the General Counsel within 60 calendar days from the date of this letter. Please add the words "Freedom of Information Act Appeal" to both your administrative appeal and to the envelope. Send a copy of your letter to:

Commander
Naval Sea Systems Command (SEA COS5)
1333 Isaac Hull Avenue SE Stop 1021
Washington Navy Yard, DC 20376-1021

The charges for processing your request have been reviewed and you have not been assessed any fees or costs. The decision whether to assess fees and costs are taken on a case by case basis. The decision regarding fees and costs in this case is no indication as to how a future request will be administered.

If you have any questions regarding the foregoing, please contact Mr. Scott W. Flood, at telephone (207) 438-1752 or via email at scott.w.flood@navy.mil, citing the FOIA Case Number DON-NAVY-2017-006556.



D. S. HUNT
Captain, USN
Shipyard Commander